

GEORGE J. TICHY, II, Bar No. 041146  
MICHAEL MCCABE, Bar No. 111151  
MICHELLE R. BARRETT, Bar No. 197280  
KIMBERLY L. OWENS, Bar No. 233185  
LITTLER MENDELSON  
A Professional Corporation  
650 California Street, 20th Floor  
San Francisco, California 94108  
Telephone: (415) 433-1940  
Facsimile: (415) 399-8490  
E-mail: gtichy@littler.com, mmccabe@littler.com  
mbarrett@littler.com, kowens@littler.com

Attorneys for Defendants  
HSBC MORTGAGE CORPORATION (USA) AND  
HSBC BANK USA, N.A.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Philip Wong, Frederic Chaussy, and Leslie  
Marie Shearn, individually, on behalf of all  
others similarly situated, and on behalf of  
the general public,

Plaintiffs,

v.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

Defendants.

Case No. C 07 2446 MMC [ECF]

**[PROPOSED] ORDER GRANTING  
DEFENDANTS HSBC MORTGAGE  
CORPORATION (USA) AND HSBC BANK  
USA, N.A.'S MOTION FOR RULE 11(C)  
SANCTIONS**

Date: October 10, 2008  
Time: 9:00 a.m.  
Courtroom: 7 (19th Floor)  
Judge: Hon. Maxine M. Chesney

1 On October 10, 2008, Defendants HSBC MORTGAGE CORPORATION (USA)  
2 AND HSBC BANK USA, N.A (hereinafter "Defendants") Motion for Rule 11(c) Sanctions came on  
3 for hearing at 9:00 a.m. before the Honorable Maxine M. Chesney. Plaintiffs and Defendants were  
4 both represented by counsel.

5 After considering all the papers filed in support of and in opposition to the Motion, as  
6 well as the argument of counsel, the Court issued the following rulings:

7 a. Nichols Kaster ("NK") are disqualified as class counsel due to their  
8 unethical conduct and conflicts of interest with putative class members;

9 b. Plaintiffs Philip Wong and Frederic Chaussy are disqualified as class  
10 representatives due to their failure to adequately represent putative class members;

11 c. The Court imposes monetary sanctions in the amount of \$ \_\_\_\_\_  
12 against NK;

13 d. The Court imposes monetary sanctions in the amount of \$ \_\_\_\_\_  
14 against Philip Wong;

15 e. The Court imposes monetary sanctions in the amount of \$ \_\_\_\_\_  
16 against Frederic Chaussy;

17 f. The Court grants Defendants' attorneys' fees and costs associated with  
18 filing this motion.

19 IT IS SO ORDERED.

20  
21 Dated: October \_\_, 2008

22  
23 HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE

24 Firmwide:86520466.1 023404.1043